

REMARKS/ARGUMENTS

This Amendment is in response to the Final Office Action mailed February 13, 2009. Claims 1, 2, 4, 5, and 7-23 were pending in the present application. This Amendment amends claims 1, 2, 10, 11, 19, and 22, and cancels claim 23 without prejudice, leaving pending in the application claims 1, 2, 4, 5 and 7-22. Applicant submits that no new matter has been introduced by virtue of these amendments. Reconsideration of the rejected claims is respectfully requested.

Objections to Claims 14 and 19

Claims 14 and 19 are objected to because of various informalities.

With respect to claim 14, the Office Action states: “the claim recites that ‘the electronic schedule has a fixed duration’, and Examiner believes that what is meant is that several activities within the schedule have a fixed duration. Applicant is requested to clarify the meaning of this phrase.” (Office Action: pg. 6).

To clarify, the phrase “the electronic schedule has a fixed duration” indicates that the schedule is intended to span a fixed length of time. For example, the schedule may start on January 1st and end on March 1st, thereby having a fixed duration of two months. The fixed duration of the schedule is independent of the durations of the individual activities within the schedule (as long as the duration of any one activity does not exceed the fixed duration of the schedule).

With respect to claim 19, the Office Action notes that the claim appears to be missing a word. Claim 19 has been amended accordingly.

In view of the foregoing, Applicant respectfully submits that the objections to claims 14 and 19 are overcome.

35 U.S.C. §112 Rejection of Claim 14

Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Office Action asserts:

Applicant employs the phrase *wherein the electronic schedule has a fixed duration*, but it is unclear how a schedule has a duration. It is thus vague and indefinite. For purposes of examination, Examiner interprets this to mean that some tasks have an anticipated or expected duration and hence, an expected finish time.

(Office Action: pg. 7; emphasis in original).

Applicant respectfully disagrees.

As discussed above with respect to the objection to claim 14, “the electronic schedule has a fixed duration” indicates that the schedule is intended to span a fixed length of time. For example, the schedule may start on January 1st and end on March 1st, thereby having a fixed duration of two months. Applicant believes that this interpretation is sufficiently clear from the claim language, and therefore respectfully requests that the Section 112 rejection of claim 14 be withdrawn.

35 U.S.C. §103 Rejection of Claims 1, 2, 4, 5, 10-14, 16, 19, 20, 22 and 23

Claims 1, 2, 4, 5, 10-14, 16, 19, 20, 22 and 23 (erroneously listed as 1-6, 10-14, 16, 19, 20, 22, and 23 on page 7 of the Office Action) are rejected under 35 U.S.C. §103(a) as being unpatentable over Robson (U.S. Patent No. 7,330,811, hereinafter “Robson”) in view of Pollalis (U.S. Patent No. 5,016,170, hereinafter “Pollalis”). Without conceding the merit of the rejection, Applicant has amended the claims to clarify the distinctions between the present invention and the cited art.

Embodiments of the present invention are directed to techniques for defining interdependencies between different programs in a computer system, where the different programs are not considered part of a larger program by the computer system. For example, computer system may store information pertaining to a program A and information pertaining to a program B, where programs A and B are entirely separate entities in the system (e.g., A and B are not tasks or subprograms within a larger program). Even though A and B are distinct and

separately managed programs, there still may be some interdependencies between the two. Merely by way of example, perhaps programs A and B both require the use of the same resource, and thus must be scheduled such that they do not use the resource at the same time. Accordingly, the computer system may receive an interdependency between an activity in program A and an activity in program B, and graphically display the interdependency in some form. In this manner, two programs that are otherwise unrelated to a larger program in the computer system may still be linked to track interdependencies between the two programs.

In accordance with the above, Applicants' independent claim 1 (as amended) recites:

A method performed by a computer system for managing a plurality of programs, said method comprising:
storing, by the computer system, a first program comprising a first plurality of activities and a second program comprising a second plurality of activities, wherein the first and second programs are not considered activities of a larger program by the computer system;
receiving, at the computer system, an interdependency between a first activity in the first plurality of activities and a second activity in the second plurality of activities; and
graphically displaying, at the computer system, the interdependency between the first activity and the second activity in a computerized schedule available to a program manager of the first program and a program manager of the second program, wherein a modification of one of the first or second activities causes an effect of the modification to be graphically displayed in the computerized schedule.

(Applicants' independent claim 1, as amended, emphasis added).

Support for these amendments may be found in the Specification at, for example, paragraphs 13, 18, 35, and 37.

Applicants respectfully submit that the features of independent claim 1 are not taught or suggested by Robson or Pollalis, considered individually or in combination. For example, Robson and Pollalis fail to teach or suggest "storing... a first program comprising a first plurality of activities and a second program comprising a second plurality of activities, wherein the first and second programs are not considered activities of a larger program by the computer system," "receiving... an interdependency between a first activity in the first plurality

of activities and a second activity in the second plurality of activities,” and “graphically displaying... the interdependency” as recited in claim 1.

As best understood from the “Response to Arguments” section of the Final Office Action, the gist of the Examiner’s argument is that the cited art teaches the concept of receiving and displaying interdependencies between programs because the cited art describes interdependencies between tasks, where each task may be construed as a program or subproject within a larger, more complex project:

In the broadest reasonable interpretation, a program is a plan of action to achieve an end or goal. Thus, a task in the broadest, reasonable interpretation is a plan of action to achieve an end or goal. The prior art of record does, in fact, teach a method for managing and scheduling interrelated tasks.

(Office Action: pg. 3).

To clarify that the recited first and second programs in Applicants’ claim 1 are distinct programs, rather than tasks or subprojects of a larger project, claim 1 has been amended to recite “wherein the first and second programs are not considered activities of a larger program by the computer system.” (Emphasis added). Accordingly, even if the cited art can be construed as teaching interdependencies between the tasks of a project, the cited art still fails to teach or suggest receiving and displaying interdependencies between programs that are not part of a larger program/project as recited claim 1.

The Final Office Action asserts that the definition of a “program” is “dependent on the perspective of a user or other person who must consider the metes and bounds or scale of a project.” (Office Action: pg. 3). Thus, the Examiner may argue that whether or not a program is considered part of a larger project is an issue of “perspective.” However, Applicant notes that the recited first and second programs of claim 1 do not refer to theoretical concepts in the mind of an individual; rather they refer to data that is stored in a computer system, and their definitions are inherently limited by that data. In particular, the recited first and second programs of claim 1 are stored in a computer system such that they are not considered activities of a larger program by the computer system. Accordingly, whether or not some individual may perceive the first and second programs as being part of a larger project is irrelevant to assessing the patentability of

claim 1, which is concerned with how those programs are stored and perceived by the computer system.

For at least the foregoing reasons, Applicant submits that independent claim 1 is not rendered obvious by the cited art, and respectfully requests that the rejection of claim 1 be withdrawn.

Independent claim 23 has been canceled without prejudice, and thus the rejection of claim 23 is moot.

Independent claims 2, 10, 11, 19, and 22 have been amended to recite features that are substantially similar to independent claim 1, and are thus allowable for at least a similar rationale as discussed for claim 1, and others.

Dependent claims 4, 5, 12-14, 16, and 20 depend from independent claims 1, 11, and 19 respectively, and are thus allowable for at least a similar rationale as discussed for claims 1, 11, and 19, and others.

35 U.S.C. §103 Rejection of Claims 7, 8, 15, and 17

Claims 7, 8, 15, and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Robson and Pollalis as applied to claims 3 and 11 above, and further in view of Applicant's own prior art. Applicant respectfully traverses.

Claims 7, 8, 15, and 17 depend from independent claims 1 and 11 respectively, which are not rendered obvious by Robson and Pollalis as discussed above. The alleged prior art that the Office Action asserts is described at paragraph 6 of the Specification does not remedy the deficiencies of Robson and Pollalis in this regard. Accordingly, Applicant respectfully requests that the rejection of claims 7, 8, 15, and 17 be withdrawn.

35 U.S.C. §103 Rejection of Claims 9 and 18

Claims 9 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Robson and Pollalis as applied to claims 3 and 11 above, and further in view of Rosnow (U.S. Patent No. 7,051,036, hereinafter "Rosnow"). Applicant respectfully traverses.

Claims 9 and 18 depend from independent claims 1 and 11 respectively, which are not rendered obvious by Robson and Pollalis as discussed above. Rosnow does not provide any teaching that would remedy the deficiencies of Robson and Pollalis in this regard. Thus, even if Robson, Pollalis, and Rosnow were combined (although there appears to be no rationale for combining), the resultant combination would not teach or suggest the features of claims 9 and 18. Accordingly, Applicant respectfully requests that the rejection of claims 9 and 18 be withdrawn.

35 U.S.C. §103 Rejection of Claim 21

Claim 21 is rejected under 35 U.S.C. §103(a) as being unpatentable over Robson and Pollalis as applied to claim 19 above, and further in view of Abrams (U.S. Patent No. 7,305,392, hereinafter “Abrams”). Applicant respectfully traverses.

Claim 21 depends from independent claim 19, which is not rendered obvious by Robson and Pollalis as discussed above. Abrams does not provide any teaching that would remedy the deficiencies of Robson and Pollalis in this regard. Thus, even if Robson, Pollalis, and Abrams were combined (although there appears to be no rationale for combining), the resultant combination would not teach or suggest the features of claim 21. Accordingly, Applicant respectfully requests that the rejection of claim 21 be withdrawn.

Amendments to the Claims

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the Specification as filed and do not add new matter.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Appl. No. 10/694,502

PATENT

Amdt. dated April 24, 2009

Reply to Final Office Action dated February 13, 2009

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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